

VIRGINIA: IN THE CIRCUIT COURT OF HENRY COUNTY

RUBY A. STULTZ)

Plaintiff)

vs.)

Wal-Mart Stores, Inc. a Delaware
Corporation,
SCC ID# F0438418)

Defendant)

Serve:)

CT Corporation System)
4701 Cox Road, Suite 285)
Glen Allen, VA 23060)

COMPLAINT)

AND)

Wal-Mart Stores East, LP)
A Foreign Limited Partnership)
Organized Under The Laws Of The)
State of Delaware)
T/A Wal-Mart Supercenter #1243)
976 Commonwealth Blvd,)
Martinsville, VA 24112 (Henry County))
SCC ID #M0093452)

Defendant)

Serve:)

CT Corporation System)
4701 Cox Road, Suite 285)
Glen Allen, VA 23060)
(Henrico County))

Law Offices
EBB H. WILLIAMS, III,
P. C.
A Professional Corporation
25 W. Church Street
Martinsville, Virginia

TO THE HONORABLE JUDGES OF SAID COURT:

The undersigned Plaintiff, RUBY A. STULTZ, doth hereby set
forth her Complaint against the Defendants, Wal-Mart Stores,
Inc., and Wal-Mart Stores East, LP, and seeks judgment against

EXHIBIT

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them in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) for wrongs, injuries and damages occasioned to her by reason of the negligence and carelessness of the Defendants jointly and severally in maintaining, creating and causing a dangerous hazard in their store which caused serious injuries to the Plaintiff, the particulars of which are as follows, to-wit:

1. That the Defendants, Wal-Mart Stores, Inc., a corporation organized under the laws of the State of Delaware, and Wal-Mart Stores East, LP, a foreign Limited Partnership organized under the laws of the State of Delaware, with both having their principal places of business at 702 S.W. 8th Street, Bentonville, Arkansas 72716, are the owners and operators of a retail store situated at 976 Commonwealth Blvd, Store #1243, Martinsville, Virginia, in Henry County, Virginia; and

2. That as the owners and operators of said store, a place of business to which the general public is invited, the Defendants, their agents and employees had and have a duty to maintain the premises in a reasonably safe condition, and to make reasonable inspections to the determine whether any defects or hazards existed and to warn the public of any such defects or hazards known or which should have been known to them or ~~their~~ agents and employees;

3. Notwithstanding said duty, and in breach thereof, the Defendants through their agents and employees on October 6, 2013, negligently and carelessly placed a wooden pallet on the floor directly inside of the rear side customer entrance in their

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store, directly in front of the entrance door, thereby creating a serious and dangerous hazard and did leave this wooden pallet in the walkway/doorway used by customers to enter the store without any kind of warning whatsoever, knowing that their customers would be using this entrance/doorway when coming into the store; and

4. That the Plaintiff on that same date, being October 6, 2013 was a customer and business invitee of the Defendants and was a part of the general public who was invited to do business in the store, and who had no expectation of a dangerous condition having been expressly created by the Defendants' employees and/or agents; that the Plaintiff on this date entered the store at this precise location, fell on the pallet, and was severely injured on and about her person; and

5. That as a direct and proximate result of the negligence and carelessness of the Defendants as aforesaid, the Plaintiff was seriously and permanently injured about her head, neck, body and extremities; was caused excruciating pain, both mental and physical; was caused to spend large sums of money in an effort to effect a cure for her injuries and was otherwise seriously and permanently injured and damaged about her body; and

6. That said Plaintiff requests that a copy of this Complaint be served upon the Defendants Wal-Mart Stores, Inc., and Wal-Mart Stores East, LP by serving CT Corporation System, Registered Agent, at 4701 Cox Road, Suite 285, Glen Allen, VA 23060 (Henrico County).

7. A trial by jury is demanded.

WHEREFORE, the Plaintiff doth move the Court for judgment against the Defendant, for the sum (including pre-verdict and post-verdict interest) and reasons as aforesaid.

This 2nd day of September, 2015.

RUBY A. STULTZ

BY 

Counsel

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